UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
(CENTRAL DIVISION)

In re:

ERIC J. SARAO,

      Debtor.

Chapter 7
Case No. 08-44100-MSH

APPLICATION FOR AUTHORITY TO EMPLOY MIRICK, O'CONNELL,
DeMALLIE & LOUGEE, LLP AS COUNSEL TO THE CHAPTER 7 TRUSTEE

To the Honorable Melvin S. Hoffman, United States Bankruptcy Judge:

NOW COMES Joseph H. Baldiga, Chapter 7 trustee (the "Trustee") of the Debtor's

proceeding, and, pursuant to 11 U.S.C. § 327(a), Rule 2014 of the Federal Rules of Bankruptcy

Procedure and MLBR 2014-1, hereby requests that this Court authorize the employment of

Mirick, O'Connell, DeMallie & Lougee, LLP ("MODL") as counsel to the Trustee. In support

hereof, the Trustee states as follows:

1.   On December 17, 2008, the Debtor filed a petition for relief under Chapter 7 of

the United States Bankruptcy Code, 11 U.S.C. §§ 101-1532 (the "Bankruptcy Code").

2.   On December 18, 2008, the United States Trustee appointed Joseph H. Baldiga

Chapter 7 trustee of this proceeding and he continues to serve as such. See attached **Exhibit A**.

3.   On January 21, 2009, the Trustee conducted the initial meeting of creditors

pursuant to 11 U.S.C. § 341(a).

4.   On January 25, 2010, the Trustee filed his Report of No Distribution (the

"NDR").

5.   On April 20, 2010, the Trustee filed a motion to withdraw the NDR.

6.   The Trustee has determined that the Debtor may have assets available for

liquidation and distribution to unsecured creditors and has further determined that he requires the

assistance of counsel in this proceeding.

7.   The Trustee selected the firm of MODL to act as counsel on his behalf because of

its experience and knowledge in the field of bankruptcy law, and believes that MODL is well

qualified to represent him in this case.

8.   The Trustee wishes to employ MODL to perform the following services in

connection with these proceedings:

A.   To assist, advise and represent the Trustee in the possible liquidation of

the Debtor's assets, including, but not limited to, non-exempt (where applicable) real and

personal property in which the Debtor has an interest;

B.   To assist, advise and represent the Trustee with respect to the

identification and prosecution of claims and causes of action assertable by the Trustee on

behalf of the estate including, but not limited to, preference and fraudulent conveyance

actions;

C.   To assist, advise and represent the Trustee with respect to the collection of

any and all account receivables due and owing to the Debtor;

D.   To assist, advise and represent the Trustee with respect to the examination

of proofs of claim to be filed herein and the possible prosecution of objections to certain

of such claims; and

E.   To perform such other legal services as may become necessary during the

administration of these proceedings.

9.   It is the carefully considered view of the Trustee that representation of the Trustee by counsel is necessary and advisable. Upon information and belief, MODL is fully qualified to render the services described above in this case.

10.   The firm of MODL has indicated its willingness to serve as counsel to the Trustee herein and to receive compensation for professional services rendered and expenses incurred in accordance with the provisions of §§ 328, 330 and 331 of the Bankruptcy Code.

11.   To the best of the Trustee's knowledge, information and belief, the members and associates of MODL have no connection with the Debtor, the creditors or any other party in interest, except as stated in the annexed affidavit of Joseph H. Baldiga, and represent no other entity having an adverse interest to the Debtor or the Trustee in connection with this case.

12.   Based upon the foregoing, the Trustee submits that the retention of MODL would be in the best interests of the estate and creditors herein.

13.   No previous application for the relief requested herein has been made to this or any other Court.

WHEREFORE, the Trustee respectfully requests that the Court enter an Order:

(a)   Authorizing the Trustee to employ and retain the law firm of MODL as his counsel, on the terms and conditions set forth above, to perform the legal services recited herein;

(b)   Authorizing MODL to file interim applications from time-to-time for reimbursement of its fees and expenses incurred in connection with its representation of the Trustee in this proceeding; and

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(c)   Granting such other and further relief as is just.

Respectfully submitted,

JOSEPH H. BALDIGA,
CHAPTER 7 TRUSTEE

By his counsel,

_____/s/ Joseph H. Baldiga_____
Joseph H. Baldiga, BBO #549963
Mirick, O'Connell, DeMallie & Lougee, LLP
1700 West Park Drive
Westborough, MA 01581
Phone: (508) 898-1501
Fax: (508) 898-1502
Dated: May 26, 2010   Email: bankrupt@mirickoconnell.com

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
(CENTRAL DIVISION)

In re:

ERIC J. SARAO,

                                                                    Chapter 7
                                                                    Case No. 08-44100-MSH

      Debtor.

ORDER APPROVING APPLICATION FOR AUTHORITY TO
EMPLOY MIRICK, O'CONNELL, DeMALLIE & LOUGEE, LLP
<u>**AS COUNSEL TO THE CHAPTER 7 TRUSTEE**</u>

Upon the application dated May 26, 2010 (the "Application") of Joseph H. Baldiga,

Chapter 7 trustee (the "Trustee"), and upon the affidavit of Joseph H. Baldiga attached to said

Application; and it appearing that Mirick, O'Connell, DeMallie & Lougee, LLP ("MODL") is

qualified to serve as counsel to the Trustee, and it appearing that MODL neither holds nor

represents any interest adverse to the Debtor or to the Trustee in connection with this Chapter 7

case and is a "disinterested person" within the meaning of § 101(14) of the Bankruptcy Code,

and that MODL's employment is in the best interests of the estate, no objections having been

filed or any objections being hereby overruled, it is hereby:

ORDERED, that the Trustee is authorized to employ and retain MODL to serve as his

counsel in the above-captioned Chapter 7 proceeding and to perform all of the services described

in the Application. All compensation and expenses are subject to Court approval.

Dated: _____, 2010   _____
                                         Honorable Melvin S. Hoffman
                                         United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS
(CENTRAL DIVISION)

In re:

ERIC J. SARAO,

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Debtor.

CERTIFICATE OF SERVICE

I hereby certify that on May 26, 2010, I caused copies of the following documents to be served upon each party noted on the attached Service List by First-Class United States mail, postage pre-paid, or as otherwise noted on the attached Service List:

1.   Application for Authority to Employ Mirick, O'Connell, DeMallie & Lougee, LLP as Counsel to the Chapter 7 Trustee, with proposed Order; and

2.   Attorney's Affidavit.

                                          /s/ Joseph H. Baldiga
                                         Joseph H. Baldiga, BBO #549963
                                         Mirick, O'Connell, DeMallie & Lougee, LLP
                                         1700 West Park Drive
                                         Westborough, MA 01581
                                         Phone: (508) 898-1501
                                         Fax: (508) 898-1502
Dated: May 26, 2010   Email: bankrupt@mirickoconnell.com

SERVICE LIST

Eric J. Sarao, Debtor
Chapter 7, Case No. 08-44100-MSH

Richard King Assistant U.S. Trustee Office of U.S. Trustee 446 Main Street 14th Floor Worcester, MA 01608 (U.S. Trustee) **VIA ECF**	Internal Revenue Service Special Process Unit P.O. Box 9112 Stop 20800 Boston, MA 02203 (Taxing Authority)	Commonwealth of Massachusetts Department of Revenue Litigation Bureau, Bankruptcy Unit P.O. Box 9564 Boston, MA 02114-9564 (Taxing Authority)
Internal Revenue Service P.O. Box 21126 Philadelphia, PA 19114 (Taxing Authority)	United States Attorney John Joseph Moakley United States Courthouse One Courthouse Way Suite 9200 Boston, MA 02210 (U.S. Attorney)	Eric J. Sarao 45 Shawsheen Road #12 Bedford, MA 01730 (Debtor)
Nina M. Parker, Esq. Parker & Associates 10 Converse Place Winchester, MA 01890 (Counsel to Debtor) **VIA ECF**	Jeffrey A. Novins, Esq. Fitzhugh & Mariani LLP 155 Federal Street Suite 1700 Boston, MA 02110 (Counsel to Merrill Lynch Commercial Finance) **VIA ECF**	Alan Kaplan, Esq. 84 Berkshire Road Newtonville, MA 02460 **VIA ECF**